



U.S. Department of Justice


Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

April 10, 2000

MEMORANDUM FOR THE ATTORNEY GENERAL

FROM: Robert Raben   
Assistant Attorney General

SUBJECT: Weekly Report for April 10 - April 14, 2000

KEY ISSUES

**Community Prosecutions:** On April 11, the Deputy Attorney General will meet with Congressman Steven Rothman to discuss the Department's community prosecutions programs. OLA's Assistant Attorney General Robert Raben will attend the meeting with the Deputy Attorney General. (Scott-Finan)

**Chinese Espionage:** On April 12, the Administrative Oversight and the Courts Subcommittee (Grassley, Chair) of the Senate Judiciary Committee will continue its hearing on the Peter Lee spy case. John Keeney, Michael Liebman and John Dion are scheduled as witnesses before the Subcommittee. (Jennings)

**Firearms Legislation:** House floor consideration of H.R. 4091, a bill to give grants to states for implementing firearms laws, or for entering into agreements with federal authorities for firearms prosecution, is expected on April 11. The bill will be considered under suspension of the rules, requiring a 2/3 vote and allowing no amendments. (Graupensperger)

**Partial Birth Abortion:** On April 5, the House passed by a vote of 287-141, H.R. 3660, the Partial Birth Abortion bill. (First)

THE WEEK AHEAD

**Bankruptcy:** On April 11, the Subcommittee on Commercial and Administrative Law (Gekas, Chair) of the House Judiciary Committee, will hold a hearing on the law enforcement and regulatory exception to the Bankruptcy Code's automatic stay provision. The NextWave bankruptcy proceedings dealing with FCC licenses will be a subject at this hearing. Ethan Posner, Deputy Associate Attorney General, will testify on behalf of the Department. While the witness list has yet to be finalized, the Federal Communications Commission, as well as the National Association for Attorneys General, will be represented. (Wilson)

**Antitrust Oversight Hearing:** On April 12, the House Judiciary Committee (Hyde, Chair) will hold an oversight hearing on enforcement of federal antitrust statutes. Antitrust Division's Assistant Attorney General Joel Klein is scheduled to testify before the Committee. (Slover)

**Civil Asset Forfeiture Reform Legislation:** The Civil Asset Forfeiture Reform Act, H.R. 1658, awaits action in the House. The Department expects that it will be placed on the suspension calendar as early as this week. (Daley)

**Haiti Hearing:** On April 12, the Criminal Justice, Drug Policy and Human Resources Subcommittee (Mica, Chair) of the House Government Reform Committee will hold a hearing on the emerging drug threat in Haiti. Mike Lopez, DEA's Special Agent in Charge in the Caribbean will testify for the Department. (Tanner)

**Terrorism Victim Compensation Hearing:** On April 13, the Immigration and Claims Subcommittee (Smith, Chair) of the House Judiciary Committee will hold a hearing on legislation to compensate terrorism victims. It is expected that representatives from the Departments of State and Treasury will be witnesses at this hearing. To date, the Department has not been asked to testify. (Wilson)

**Pain Relief Promotion Act:** The scheduled markup of H.R. 2260, the Pain Relief Promotion Act was postponed, and may be considered on April 13. The Act clarifies that controlled substances may be used to relieve pain in the course of providing palliative care to terminally ill persons. The bill also, however, provides inappropriate federal criminal sanctions for physician-assisted suicide. We have commented on the bill questioning the need for the proposed harsh criminal penalties. (Tanner)

**Nominations:** Acting Associate Attorney General Dan Marcus has a courtesy visit with Senator Sessions this week, and Acting DEA Administrator Donnie Marshall is meeting with Senator Levin.

On April 5, the nomination of Jay Garcia-Gregory, to be a United States District Judge for Puerto Rico, was sent to the Senate; and on April 6, the nomination of Kent Dawson, to be a United States District Judge for the District of Nevada was sent to the Senate. (Scott-Finan)

**Field Hearings on Drugs:** On April 19, the House Judiciary Subcommittee on Crime (McCollum, Chair) will hold a series of field hearings on the threat methamphetamine poses to communities in California. The schedule is: April 19 in Pasadena; April 20 in Redondo Beach; and April 21 in San Diego. DEA has been invited to present witnesses. We anticipate that the U.S. Attorney's Office will also be invited to present witnesses. (Tanner)

#### THE WEEK IN REVIEW

**Fourth Amendment and the Internet:** On April 6, the Constitution Subcommittee (Canady, Chair) of the House Judiciary Committee held an oversight hearing on the Internet and the Fourth Amendment to the Constitution, which prohibits unreasonable searches and seizures. Criminal Division's Deputy Assistant Attorney General Kevin Di Gregory testified before the Subcommittee. (Daley)

**Senate Judiciary Committee Business Meeting:** Senator Wyden objected to the Senate Judiciary Committee Business Meeting which was scheduled for April 6. (Scott-Finan)

**Bureau of Prisons Oversight:** On April 6, the Subcommittee on Criminal Justice Oversight (Thurmond, Chair) of the Senate Judiciary Committee held an oversight hearing on the Bureau of Prisons. BOP Director Kathy Hawk Sawyer testified, as well as Richard Stana, Associate Director for Administration of Justice Issues of the General Accounting Office, and Glenn Fine, Director of the Special Investigations and Review Unit of the Department's Office of Inspector General. The hearing focused on prison population growth, increasing health care costs and reducing prisoners' use of telephones for criminal activity. (Scott-Finan)

**City of Jackson Business Improvement District:** On April 5, the Civil Rights Division's Acting Assistant Attorney General Bill Lee and his staff, along with staff from the Office of Legislative Affairs, met with Congressman Bennie Thompson to hear his concerns about the implementation of the Business Improvement District in the City of Jackson, Mississippi. Following the meeting with the Congressman, there was a separate meeting with constituents from Jackson who oppose the creation of the Business Improvement District. On April 11, there will be a meeting with the Chairman of Capital Center, Inc., which operates the Business Improvement District, and others who support the District. (Scott-Finan)

**Late Amnesty:** On March 31, the Department transmitted to Congress a bill to change the registry date in the Immigration and Nationality Act. This change would allow many of the persons in the late amnesty class to adjust their status to permanent resident. (First)

**Trafficking:** On April 4, the House Judiciary Committee (Hyde, Chair) passed H.R. 3244, a bill to combat sexual trafficking. The bill must also be considered by the Ways and Means Committee before it can go to the House floor. In addition, the Senate Foreign Relations Committee held a hearing on trafficking in humans, at which the Department testified. (First)

**Internet Gambling:** On April 6, the House Judiciary Committee approved the Internet Gambling Prohibition Act, H.R. 3125, which is opposed by the Department in its current form. (Daley)

**Police Issues:** On April 5, Civil Rights Division's Acting Assistant Attorney General Bill Lee and staff from the Office of Legislative Affairs met with Congressmen Danny Davis, Greg Meeks and Bobby Rush about police brutality issues in Chicago. Later the same day, Civil Rights Deputy Assistant Attorneys General Stuart Ishimaru and Loretta King met with 50 of Congressman Davis' constituents from Chicago. (Scott-Finan)

**Visa Waiver Pilot Program:** On April 4, the House Judiciary Committee (Hyde, Chair) passed a permanent reauthorization of the Visa Waiver Pilot Program. (First)

**Organ Procurement:** On April 4, the House passed H.R. 2418, the Organ Procurement and Transplantation Network Amendments of 1999 by a vote of 275-147. This bill would authorize a private organization to establish criteria for being a participant in the organ allocation network and medical criteria for allocating organs. In a letter sent to Congress last October, the Department stated that the bill raises significant constitutional concerns involving the separation of powers, and a SAP was issued stating that if the bill were presented to the President in its current form his senior advisors would recommend a veto. (Pearlman)